

**REMARKS**

Claims 20, 21, 23-25, 27, 28 and 32-40 are pending in this application. By this Amendment, claims 20 and 23 have been amended for consistency, and claim 40 has been added. Support for new claim 40 can be found in the specification at, for example, Fig. 4 and page 17, lines 17-28. Thus, no new matter is added. Claim 20 is independent. Reconsideration of the application is respectfully requested at least in view of the following remarks.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Jolley in the October 16, 2009 telephone interview. During the interview, Examiner Jolley indicated that she would consider the Supplemental Remarks if filed by October 23, 2009.

**I. The Claims Define Patentable Subject Matter**

The Office Action rejects 20-39 under 35 U.S.C. §103(a) over U.S. Patent No. 5,749,970 to Fukuta et al. (Fukuta) in view of U.S. Patent No. 4,728,539 to Gane. This rejection is respectfully traversed.

Independent claim 20 recites, *inter alia*, "the sheet-like elastic body has a thickness of 1-5 mm and a width of 1-10 mm." The applied references fail to teach or render obvious the recited features of independent claim 20.

In the August 17, 2009 and September 28, 2009 responses, Applicants argued that the applied references fail to recognize the criticality of the sheet-like elastic body when the elastic body has a thickness of 1-5 mm and a width of 1-10 mm, the criticality of Gane asserted by Examiner is different from the criticality of the present application and this difference leads to different optimal ranges for the thickness and width of the elastic body, and the recited following mechanism.

Applicants provide the following additional arguments.

The Office Action alleges that it would have been obvious to modify the width, thickness and hardness of the blade of Fukuta. As discussed below, this allegation is improper.

Fukuta does not provide any reason for one of ordinary skill in the art to replace the material used in the doctor blade with a material other than SUS stainless steel or wear resistant ceramic material. See col. 5, lines 29 and 30 of Fukuta.

As shown in comparative example 1 of Table 1 of the present application, if a SUS stainless steel smoother is used, only a relatively thick coating is obtained with a poor external appearance and the occurrence of cracks. On the other hand, with the smoother of the present application, a satisfactory coating can be obtained with a thin coating that has a good external appearance without the occurrence of cracks.

Furthermore, Gane merely teaches the use of flexible blade 5 with a thin spring steel trailing blade 11. The flexible blade 5 is used as an applicator and the thin spring steel trailing blade 11 is used to smooth and level the coating. See col. 4, lines 31-48 of Gane. Thus, there is no rationale for combining Fukuta with Gane. Accordingly, the applied references fail to teach or render obvious that the sheet-like elastic body has a thickness of 1.5 mm and a width of 1-10 mm.

The dependent claims are patentable at least due to their dependence on allowable independent claim 20 and for the additional features they recite.

Accordingly, withdrawal of the rejection of the claims is respectfully requested.

## **II. New Claim 40 is Patentable**

New claim 40 is added. The Office Action relies on col. 7, lines 1-18 of Fukuta for corresponding with the recite following mechanism. However, as discussed below, this reliance is improper.

Fukuta merely discloses a controller for adjusting the location of the feeder 3 and/or the doctor blade 30 relative to the columnar structural body. Fukuta fails to teach or render obvious that the following mechanism includes a pair of rollers positioned on substantially the same horizontal plane and pressing against the outer peripheral surface. Gane fails to cure the deficiencies of Fukuta. Accordingly, dependent claim 40 is patentable.

### III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 20, 21, 23-25, 27, 28 and 32-40 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Obert H. Chu  
Registration No. 52,744

JAO:OHC/mkg

Date: October 23, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--